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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,199	06/17/2005	Kees Gerard Willem Goossens	NL02-1296 US	2390
24738 7590 02/01/2008 PHILIPS ELECTRONICS NORTH AMERICA CORPORATION INTELLECTUAL PROPERTY & STANDARDS 370 W. TRIMBLE ROAD MS 91/MG SAN JOSE, CA 95131				
EXAMINER				
NGUYEN, MINH TRANG T				
ART UNIT		PAPER NUMBER		
4134				
MAIL DATE		DELIVERY MODE		
02/01/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,199

Applicant(s)

GOOSSENS ET AL.

Examiner

MINH-TRANG NGUYEN

Art Unit

4134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,649,108 to *Spiegel et al.*

As claim 1, *Spiegel et al.* disclose a method for determining the return path of a packet in a network, the network comprising a plurality of nodes and a plurality of links between the nodes, and wherein for each first node having at least one link with a second node, a link exists between the second node and the first node, the method being used when sending the packet from a source node to a destination node, via at least an intermediate node (see Figs. 1, 7A-7D, e.g., node A is a source node; nodes B, C, D, E, F are intermediate nodes. Node G is a destination node), characterized in that the method comprises the step of storing information in the intermediate node for deriving the return path (see col.10, lines 59-65; col. 11, lines 31-67; e.g., Forwarding Table 20 of each intermediate nodes B, D sets and stores information of VCI(i), OP/ID and VCI(o) for receiving a return packet and a NACK packet).

As claim 2, *Spiegel et al.* disclose steps of storing information in each node visited by the packet for deriving the return path, when sending the packet from a source node to a destination node. (see col.10, lines 59-65; col. 11, lines 31-67; e.g., Forwarding Table 20 of each intermediate nodes B, D sets and stores information of VCI(i), OP/ID and VCI(o) for receiving a return packet and a NACK packet).

As claim 3, *Spiegel et al.* disclose the information stored in the intermediate node comprises an identifier of the packet and information that encodes an output port of the intermediate node to be used for returning the packet. (see col.10, lines 59-65; col. 11, lines 31-67; e.g., Forwarding Table 20 of each intermediate nodes B, D sets and stores information of VCI(i), OP/ID and VCI(o) for receiving a return packet and a NACK packet, and VCI(i) corresponds to an identifier of the packet and OP/IP corresponds to information that encodes an output port of the intermediate node).

As to claim 4, see similar rejection to claim 1. Furthermore, the network node shown in Fig. 2 includes an integrated circuit (see col.5, lines 42-62).

As to claim 5, see similar rejection to claim 2.

As to claim 6, see similar rejection to claim 3.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Oba et al (U.S Patent No. 6,529,958), disclose a set up of label switched for a packet flow which is stored the flow identifier for returning a response message.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-TRANG NGUYEN whose telephone number is (571) 270-5248. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on 571-272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MINH-TRANG NGUYEN/
Examiner, Art Unit 4134

/M. N./
Examiner, Art Unit 4134

/Derrick W Ferris/
Supervisory Patent Examiner, Art Unit 4134